City of Santa Barbara
California

PLANNING COMMISSION
STAFF REPORT

REPORT DATE: November 11, 2010 (Thursday 1 week before the Agenda Date)

AGENDA DATE: November 18, 2010

PROJECT ADDRESS: 163 La Jolla Drive (MST2008-00515)

TO: Planning Commission

FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner DK
Allison De Busk, Project Planner AD

I. PROJECT DESCRIPTION

The project consists of a remodel and 911 square foot one-story addition to an existing 1,265 square foot one-story, single family residence, including permitting of an as-built fence located within 50 feet of the top of a coastal bluff, new landscaping and irrigation and new patio area. The project site is 0.54 acres; however, most of that area consists of a coastal bluff.

II. REQUIRED APPLICATIONS

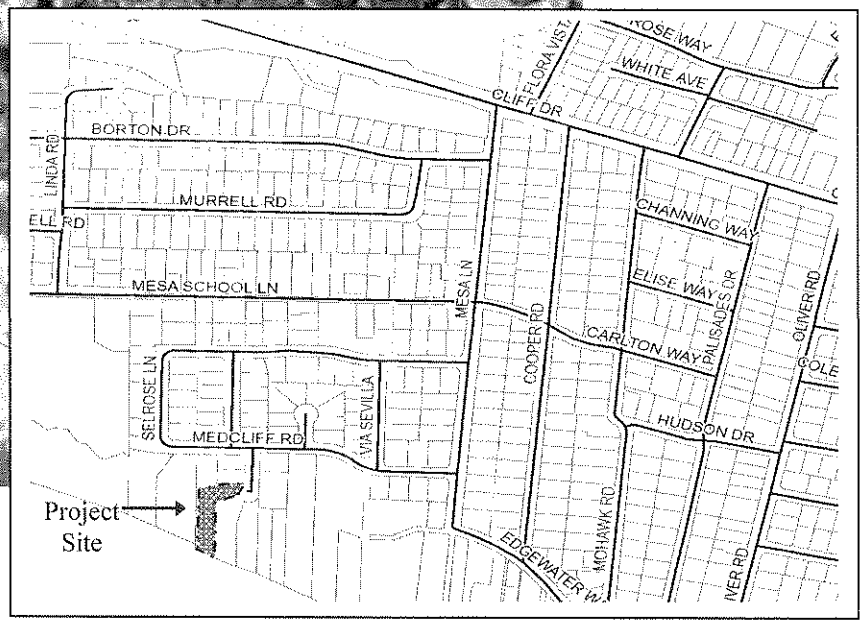
The discretionary applications required for this project are:

1. A Coastal Development Permit (CDP2009-00009) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009); and
2. A Modification to allow alterations to the existing structure within the required interior setback (SBMC §28.92.110).

III. RECOMMENDATION

With the approval of the requested Modification, the proposed project conforms to the City's Zoning and Building Ordinances and policies of the General Plan/Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

APPLICATION DEEMED COMPLETE: October 12, 2010
DATE ACTION REQUIRED: December 11, 2010



Vicinity Map – 163 La Jolla Drive

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Peter Becker, Architect	Property Owner:	Ramin Bral
Parcel Number:	041-362-004	Lot Area:	0.54-acres (gross)
General Plan:	Residential – 5 units per acre	Zoning:	E-3/SD-3
Existing Use:	Single-family residence	Topography:	Generally flat at front, with steep slope at rear down to beach
Adjacent Land Uses: North – single-family residential South – Pacific Ocean		East – single-family residential West – single-family residential	

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,265 s.f.	2,135 s.f.
Garage	411 s.f.	452 s.f.
Accessory Space	N/A	N/A

C. PROJECT HISTORY

Initially, proposed development of this site consisted of a remodel of the existing residence and permitting of the as-built fence (MST2007-00207; ENF2007-00125). Staff determined that the extent of the remodel would essentially demolish a significant portion of the residence. This version of the project was reviewed by the Single Family Design Board on February 19, 2008 and received generally positive comments. This project was withdrawn on August 31, 2009, at which time the current project was submitted.

V. CONSISTENCY ANALYSIS

A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	 20 feet 6 feet 6 feet	 31 feet 5 feet 30 feet from top of bluff	 20 feet 5 feet* No change
Building Height	30 feet	16 feet	17 feet, 2 inches
Parking	2 covered spaces	2-car garage	2-car garage

Standard	Requirement/ Allowance	Existing	Proposed
Open Yard	1,250 square feet	> 2,300 square feet (excluding bluff)	No change
Lot Coverage			
-Building	N/A	1,774 gross s.f. 7.5%	2,723 gross s.f. 11.5%
-Paving/Driveway	N/A	1,376 s.f. 5.8%	1,213 s.f. 5.1%
-Landscaping	N/A	20,552 s.f. 86.7%	19,766 s.f. 83.4%

*Modification required

The proposed project would meet the requirements of the E-3/SD-3 Zone, with the exception of the interior yard setback, as discussed below.

Modification

A portion of the existing residence (south side) encroaches one foot into the required six-foot setback. The project includes a remodel of this portion of the residence, which would change the three windows currently located within this setback area. Window changes in the required setback require a modification. Although the number of windows within the setback area would increase from three to four, the total amount of glazing within the setback would decrease. The proposed alterations will not intensify the existing use of the building or result in impacts to the adjacent neighbors.

B. General Plan Consistency

The project site is located in the West Mesa neighborhood, as identified in the Land Use Element of the General Plan, and has a land use designation of Residential, five units per acre. This area is recognized as being primarily developed with small-lot, single-family residences. The new residence would remain consistent with the pattern of single-family residential development in the area, which is a mixture of one and two-story homes. No change in residential density is proposed.

As discussed in the Seismic Safety-Safety Element of the General Plan, the Mesa bluffs are subject to seacliff retreat. The project includes an adequate setback from the edge of the cliff, and drainage is being directed away from the bluff edge (refer to more detailed discussion in Local Coastal Plan Consistency section). Therefore, the project can be found in conformance with the General Plan.

C. Local Coastal Plan Consistency

The project site is located in Component Two of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential, and that there is very limited additional development potential. The major coastal issues identified for Component Two include seacliff retreat and flooding hazards; public access, both vertically and laterally along the bluffs, overuse of public facilities; protection of recreational access; protection of archaeological resources and the maintenance of existing coastal views and open space.

The project site was not found to be archaeologically sensitive and is not subject to flooding. The site does not serve as a public facility, recreation area, or public coastal access point. The proposed development would not alter any natural landforms. The project can be found consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines. Coastal issues applicable to the subject property are discussed below.

Views

The scenic and visual qualities of coastal areas should be considered and protected as a resource of public importance (Coastal Act Section 30251). Projects along the coast should be sited and designed to protect views to and along the ocean and scenic coastal areas (LCP Policy 9.1). The project site is currently developed with a one-story single-family residence. Although the project includes an addition to the residence, it would be one-story and located toward the street. Therefore, the project will not change the existing view to or from the beach or ocean, which is minimal.

Neighborhood Compatibility

LCP Policy 5.3 states that new development must be compatible in terms of scale, size and design with the neighborhood, and that new development shall not overburden public circulation or on-street parking resources. The project has been reviewed by the Single-Family Design Board and has been found to be compatible with the neighborhood. The project includes a two-car garage, which will accommodate the site's parking demand.

Seacliff Retreat

The General and Local Coastal Plans strive to eliminate or reduce the hazards created by loading and drainage related issues, which contribute to bluff erosion and undercutting of the slope. The Local Coastal Plan also states that new development should be located outside the 75-year geological setback to protect bluffs from erosion and maintain the natural topography of the bluffs. The 75-year geological setback is determined by an engineering geologist based on an average rate of retreat. Richard Paul Cousineau prepared an Engineering Geology Site Assessment (dated July 15, 2004, Exhibit D), which determined that the rate of retreat for this particular property is approximately 3.75 inches per year. The geology report also notes that there has been no apparent movement of the bluff relative to the southwest corner of the existing residence in 39 years. The existing house and proposed addition is located outside the 75-year setback line. The geology report recommended improvements to the drainage system, including gutters and downspouts. The project proposes to remedy these drainage issues and would direct drainage away from the bluff and toward the front of the property, consistent with LCP Policy 8.1.

Proposed improvements within the 75-year setback area include fencing and new landscaping and irrigation (no changes proposed to the bluff itself). The majority of the existing lawn area, which was replaced in 2004, would remain, as would the existing wooden staircase that descends the cliff to the beach. Frank J. Kenton prepared a Geologic Response (dated December 18, 2007, Exhibit E) regarding the lawn area and staircase on the bluff. This Response finds that the lawn and associated gopher netting is acceptable as long as appropriate

measures are included to avoid excessive irrigation. The applicant has proposed to remove a small section from the perimeter of the lawn and to install a new irrigation controller. The City's LCP discourages the installation of lawn in order to prevent excess water from being applied to the top of the bluff. Because the lawn area has existed for many years and the applicant is proposing a "smart" irrigation system, staff has not recommended its removal. The Response also finds that removal of the staircase is not recommended from a geologic standpoint. Given that the stairs have existed for more than 35 years, they pre-date the Coastal Act, and removal could cause some erosion, staff does not recommend their removal as part of the project.

The project minimizes risks to life and property by preventing loading along the bluff top and assuring stability and structural integrity. The redirection of drainage away from the bluff will meet the goals of the Local Coastal Plan, the Coastal Act, and the California Code of Regulations.

D. DESIGN REVIEW

This project was reviewed by the SFDB on two separate occasions, once for the prior version of the project (as discussed in Project History section above) and once for the current version (meeting minutes are attached as Exhibit F). On October 12, 2009, the SFDB concluded that the project was compatible with the neighborhood and that the modification was supportable aesthetically.

VI. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for an exemption from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 Additions to Existing Structures.

VII. FINDINGS

The Planning Commission finds the following:

A. MODIFICATION (SBMC §28.92.110.A.2)

The Modification to allow alterations to the existing building within the interior setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The existing residence encroaches one foot into the required interior setback and the project would maintain that encroachment and change windows within that portion of the building. The proposed alterations will allow an architectural upgrade to the existing residence without intensification of use or impacts to the adjacent neighbors, as described in Section VI.A. above..

B. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

The project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the addition is compatible with the existing neighborhood, would not be visible from the beach or

impact views from public view corridors, would not impact public access, would not contribute to safety or drainage hazards on the site, including those related to seacliff retreat, and is not located on an archaeologically sensitive site. Refer to Section VI.C of the staff report for a complete discussion of these issues.

Exhibits:

A. Conditions of Approval
B. Site Plan
C. Applicant's letter, dated October 25, 2010
D. Preliminary Engineering Geology Site Assessment prepared by Richard Paul Cousineau and dated July 15, 2004
E. Geologic Response prepared by Frank J. Kenton and dated December 18, 2007
F. SFDB Minutes
G. Applicable General Plan/Local Coastal Plan Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

163 LA JOLLA DRIVE
COASTAL DEVELOPMENT PERMIT, SETBACK MODIFICATION
NOVEMBER 18, 2010

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Design Review.** The project is subject to the review and approval of the Single Family Design Board (SFDB). SFDB shall not grant preliminary approval of the project until the following Planning Commission land use conditions have been satisfied.

1. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks Department, shall be replaced on-site on a one-for-one basis with minimum 15 gallon size tree(s) of an appropriate species or like species, in order to maintain the site's visual appearance and reduce impacts resulting from the loss of trees.

2. **Tree Protection Measures.** The landscape plan shall include the following tree protection measure, intended to minimize impacts on trees:

   a. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s).

3. **Appropriate Plants on Bluff.** Special attention shall be paid to the appropriateness of the existing and proposed plant material on the bluff and sloped areas. All existing succulent plants that add weight to the bluff and/or contribute to erosion shall be removed in a manner that does not disturb the root system and replaced with appropriate plant material in a manner that does not increase the rate of erosion.

4. **Irrigation System.** The irrigation system shall be designed and maintained with the most current technology to prevent a system failure, and watering of vegetation on the bluff edge shall be kept to the minimum necessary for plant survival.

5. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.

B. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute *a written instrument*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on November 18, 2010 is limited to a remodel and addition to an existing single-family residence resulting in a 2,135 net square foot one-story

single-family residence with an attached 479 square foot two-car garage, permitting of an altered as-built fence located within 50 feet of the top of a coastal bluff, new landscaping and irrigation, new patio area and the improvements shown on the plan set signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.

3. **Recreational Vehicle Storage Limitation.** No recreational vehicles, boats, or trailers shall be stored on the Real Property unless enclosed or concealed from view as approved by the Single Family Design Board (SFDB).

4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Single Family Design Board (SFDB). Such plan shall not be modified unless prior written approval is obtained from the SFDB. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason without approval by the SFDB, the owner is responsible for its immediate replacement.

5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

6. **Coastal Bluff Liability Limitation.** The Owner understands and is advised that the site may be subject to extraordinary hazards from waves during storms and erosion, retreat, settlement, or subsidence and assumes liability for such hazards. The Owner unconditionally waives any present, future, and unforeseen claims of liability on the part of the City arising from the aforementioned or other natural hazards and relating to this permit approval, as a condition of this approval. Further, the Owner agrees to indemnify and hold harmless the City and its

employees for any alleged or proven acts or omissions and related cost of defense, related to the City's approval of this permit and arising from the aforementioned or other natural hazards whether such claims should be stated by the Owner's successor-in-interest or third parties.

C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights.* Engineering Division Staff will prepare said agreement for the Owner's signature.

2. **Drainage Calculations.** The Owner shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.

3. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants, or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

4. **La Jolla Drive Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on La Jolla Drive. As determined by the Public Works Department, the improvements shall include the following: *driveway apron modified to meet Title 24 requirements, curb & gutter to replace existing driveway to be removed, public drainage improvements with supporting drainage calculations to determine the number of Type B curb drain outlets required, connection to City water and sewer mains, preserve and/or reset survey monuments and contractor stamps, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.*

5. **Approved Public Improvement Plans and Concurrent Issuance of Public Works Permit.** Upon acceptance of the approved public improvement plans, a Public Works permit shall be issued concurrently with a Building permit.

D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Single Family Design Board, outlined in Section A above.

2. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:

   If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

   If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

   If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

3. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st*
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

2. **Construction Storage/Staging.** Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.

3. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:

   a. Site grading and transportation of fill materials.

   b. Regular water sprinkling; during clearing, grading, earth moving or excavation.

c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.

d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

4. **Street Sweeping.** The property frontage and adjacent property frontages shall be swept daily to decrease sediment transport to the public storm drain system and dust.

5. **Tree Protection.** All trees not indicated for removal on the site plan shall be preserved, protected, and maintained as follows:

a. **Grading Notes.** Notes on the grading plan that specify the following:

(1) No grading shall occur within three feet of the driplines of the existing tree(s).

(2) All excavation within the dripline of the tree(s) shall be done with hand tools.

(3) Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.

(4) No heavy equipment, storage of materials or parking shall take place under the dripline of the tree(s).

(5) Any root pruning and trimming shall be done under the direction of a qualified Arborist.

(6) All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.

6. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of

grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility service undergrounding.

3. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist if installing a pool, spa or solar panels.

G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent

acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

The Planning Commission's action approving the Modification shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.

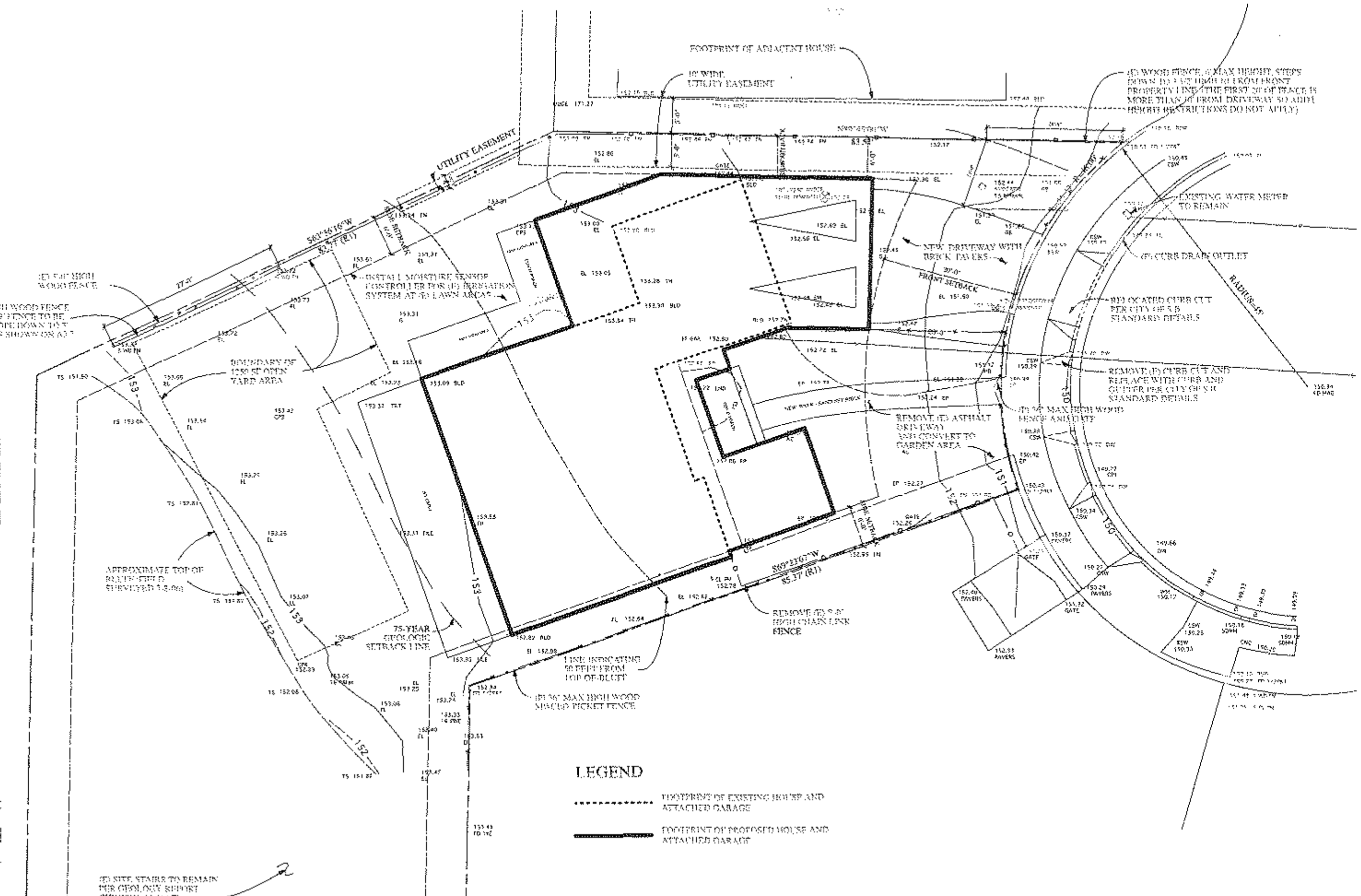
EXHIBIT B

LOT COVERAGE STATISTICS

	EXISTING		PROPOSED	
	1,774 SF	7.5%	2,723 SF	[illegible]
AY	1,374 SF	5.8%	1,213 SF	[illegible]
LOT AREA	20,334 SF	86.7%	19,366 SF	[illegible]
	23,482 SF	100%	23,302 SF	100%

A. Residential Project Statistics

C. General Project Statistics

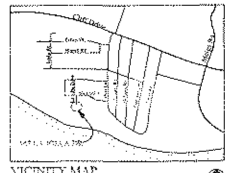


LEGEND

- - - - FOOTPRINT OF EXISTING HOUSE AND ATTACHED GARAGE
—— FOOTPRINT OF PROPOSED HOUSE AND ATTACHED GARAGE

SITE PLAN

1/8"=1'-0"



VICINITY MAP

PROJECT DATA

PROJECT ADDRESS	163 LA JOLLA DR. SANTA BARBARA, CA 93109
APN:	041-362-004
LAND USE ZONE	E-3/SD-3
LOT GROSS AREA	0.54 ACRES
OCCUPANCY	R-1
TYPE OF CONSTRUCTION	V-N
AVER. SLOPE:	45%
GRADING:	NONE

SQUARE FOOTAGE

	NET	GROSS
RESIDENCE (E)	1,265	1,328
ATTACHED GARAGE (DEMO)	411	446
TOTAL (E)	1,676	1,774
(E) HABITABLE AREA	1,265	1,328
ADDITION	870	916
TOTAL (P) RESIDENCE	2,135	2,244
NEW ATTACHED GARAGE	452	479
TOTAL NEW RESIDENCE (HABITABLE + GARAGE)	2,587	2,723
TOTAL AREA OF REMODEL	1,265	1,328

PROJECT DESCRIPTION

DEMOLISH (E) 411 SF GARAGE. REMODEL (E) 1,265 SF RESIDENCE AND ADD 870 SF FOR A TOTAL OF 2,135 SF. ADD A 452 SF ATTACHED GARAGE. ADD NEW 64 SF COVERED PORCH AND ENLARGE AND ADD COVER OVER (E) PORCH FOR TOTAL OF 204 SF. RELOCATE DRIVEWAY AND CREATE NEW CURB CUT. ADD 150 LF OF 8' HIGH WOOD FENCING AT SOUTH AND EAST PROPERTY LINES. PERMIT 27 FEET OF "AS-BUILT" WOOD FENCE ALONG NORTHERN PROPERTY LINE TO ABATE ZONING VIOLATION (15 LF TO BE 6' HIGH, 12 LF TO SLOPE FROM 6' TO 3' AT BLUFF END). INSTALL MOISTURE SENSING CONTROLLER FOR IRRIGATION SYSTEM AT EXISTING LAWN AREAS.

THIS PROJECT IS SUBJECT TO "TIER 2" SWMP REQUIREMENTS

PLANNING COMMISSION APPROVAL OF A COASTAL DEVELOPMENT PERMIT AND A MODIFICATION TO ALLOW ALTERATIONS WITHIN THE INTERIOR SETBACK ARE REQUESTED

SHEET INDEX

A1.0 SITE PLAN
A1.1 SITE PLAN - ENTIRE SITE
A2.0 (E) FLOOR PLAN
A2.1 (P) FLOOR PLAN
A2.2 (P) ROOF PLAN
A3.0 (E) ELEVATIONS
A3.1 (P) ELEVATIONS & SOLAR COMPLIANCE
A3.2 (P) ELEVATIONS
A3.3 "AS BUILT" FENCE PLAN & ELEVATION

G-1 DRAINAGE & HYDROLOGY NOTES
G-2 DRAINAGE & HYDROLOGY PLAN

CL.1 PRELIMINARY LANDSCAPE PLAN
CL.2 PRELIM. STORM WATER MANAGEMENT PLAN

AUTOMATIC FIRE SPRINKLERS WILL BE REQUIRED. FIRE SPRINKLERS WILL BE INSTALLED UNDER A SEPARATE PERMIT

BRAL RESIDENCE
REMODEL & ADDITION
163 La Jolla Drive
Santa Barbara, CA

OWNER:
Ramin Bral
PO Box 12037
Beverly Hills, CA 90209

ARCHITECT:
Peter Becker, AIA
34 W. Mission Street
Santa Barbara, CA 93101
805 682-2626

DATE: 05.21.09
10.12.09 SFDB CONCEPT
04.20.10 PLANNING RESUB
06.02.10
10.25.10 PLANNING COMM

SHEET: A 1.0

RECEIVED
OCT 28 2010
CITY OF SANTA BARBARA
PLANNING DIVISION

Peter Becker
Architect

34 West Mission Street • Santa Barbara, CA 93101 • tel 805.682.3636 • fax 805.682.7636

October 25, 2010

Planning Commission
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Re: Development Review for 163 La Jolla Drive, APN 041-362-004

Dear Planning Commissioners,

We are seeking a Coastal Development Permit and need Planning Commission approval for an addition to and remodel of a 1,676 sf single-family residence at 163 La Jolla Drive. The project is in the E-3/SD-3 zone and within the appealable jurisdiction of the California Coastal Commission.

Since the existing home is within 50 feet from the edge of the coastal bluff, the proposed work requires review and approval by the Planning Commission. In addition, since the south wall of the existing house encroaches 1 foot into the side yard setback area, a Modification is required for alterations to windows in this area. At its October 12, 2009 meeting, the Single Family Design Board unanimously supported this proposal and its required modification, finding the project exhibited high quality architecture that would enhance the neighborhood.

The proposed scope of work is to reconfigure and update the interior spaces of the existing house, add 870 sf of habitable space, and add 230 sf of covered porch area. The 411 sf attached garage will be demolished, and a new 452 sf attached garage will be built. Both the demolition and the addition will be entirely outside the 50-foot bluff setback area and the 75-year retreat line area. All windows and doors on the existing structure will be replaced, the roof modified, and the exterior stucco removed and replaced with wood shingle siding. The project will result in a three bedroom, two and one-half bath house of 2,135 sf with an attached two-car garage of 452 sf.

Associated site work for the project includes 150 linear feet of new perimeter fencing, a reduction of 650 sf of lawn in the rear and its replacement with low-water-use landscaping, the relocation of the driveway, and landscaping at the front yard that incorporates stormwater retention and filtration measures required to comply with the City's Tier 3 Stormwater Management Program.

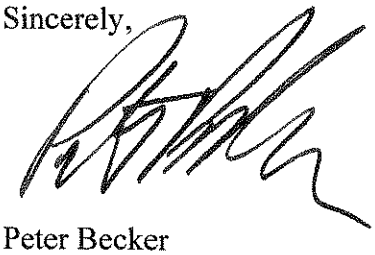
Approval of a 27-foot-long section of "as-built" fence along a portion of the northerly property line is also requested. The 6' high fence will be modified so that the western 12' will taper down to 3' high, per an agreement with the neighboring property owner. No new posts or footings will be required for this work.

Because we are not proposing to expand the house towards the bluff edge, and since all work in the bluff setback area consists of minor cosmetic improvements to the existing structure, the proposed work will not negatively impact the coastal environment. The addition is modest in size, and represents a necessary upgrade to the small house, which has been mostly unaltered

since it was built in 1961. The addition and remodel will significantly improve the appearance of the house, enhance the neighborhood streetscape, and bring the house more in line with neighboring properties. The landscape improvements and stormwater management measures will reduce infiltration impacts on the bluff from irrigation and heavy rains.

The project will not involve the use or storage of hazardous materials. The proposed duration of work is estimated to be approximately 14 months. The existing paved driveway area will be used for construction parking and materials staging.

Sincerely,



Peter Becker

PRELIMINARY ENGINEERING GEOLOGY SITE ASSESSMENT

By

Richard Paul Cousineau-Certified Eng. Geologist No. 321

For

John Greene Date: July 15, 2004

Regarding: 163 La Jolla Drive Santa Barbara. California

POTENTIAL GEOLOGIC HAZARD	RISK*	COMMENTS
Seismic Ground Shaking	L	See Note 1.
Seismic Ground Rupture	L	Unanticipated
Seismic Induced Landslide	L-M	See Note 1.
Differential Settlement	L	None observed.
Liquefaction	L	Site soils not susceptible
Tsunami (Seismic Sea Wave)	NA	Elevation 150 ft.± above sea level.
Seiche (Seismic Lake Wave)	NA	No large bodies of water uphill of site.
Fault Proximity	L	See Note 1 and Figure 2.
Apparent Gross Slope Stability	L	No landslides observed on site. Note 2
Mudflow Susceptibility	L	Slope soils are slightly susceptible.
Soil Creep Likelihood	M	Slope soils are susceptible. Note 3.
Expansive Soils	L	Site soils have Low Expansivity.
Fill Soils	L	None observed.
Concrete Slab Cracking	L	On old rear patio.
Concrete/Stucco Wall Cracking	L	None observed
Apparent Foundation Conditions	L	No cracking or distress noted
Pad and Offsite Drainage	M	Poor yard and roof drainage. Note 4
Adverse Slope Erosion	L	Not observed
Adverse Pad Erosion	L	Not observed
Sea Cliff Retreat	L	Long term retreat rate of 4"/year. Note 5
Sea Cliff Erosion	L-M	On going. Note 6.

The * L=Low M= Moderate H= High NA= Not Applicable

JOHN GREENE NOTES
163 La Jolla Drive,
Santa Barbara, California

Note 1. The property, as well as all of southern California, will experience earthquakes in the future from local and regional events. The position of the subject property, which is upon firm Monterey Formation Bedrock, is considered very favorable ("Low Damage Anticipated") with respect to ground motion from earthquakes. Generally speaking, ground shaking declines with distance from the earthquake hypocenter, and with the firmness of the foundation materials. The firmer the foundation soil the less amplification of the shaking will occur. At this site the foundation ground is very firm. The closest active faults (Age: Present to 11,000 years ago) are in the Santa Barbara Channel, located approximately 3 to 5 miles south of the property. The nearest potentially active fault (Age 11,000 to 100,000 years ago) is the More Ranch-Mission Ridge-Arroyo Parida Fault located about 1 mile to the north. The subject property is not located with a Special Fault Hazard Studies Zone as defined by the Sate of California or the County of Santa Barbara. See Figure 2, Geologic Vicinity Map. Loose soils on the sea cliff face may be dislodged by future earthquake events, however such would not impact the upper level zones of the property.

Note 2. No landslides were noted on the property. The small valley directly west of the property may contain old landslide debris, but this does not impact the subject property.

Note 3. Soil Creep, which is the nearly imperceptible downhill movement of soils on steep slopes, is likely occurring at the property. This phenomenon is manifested by the occurrence of leaning of fence posts and other vertical items founded in the soil and not the bedrock. No impacts are anticipated upon the stability of the residence from this feature.

Note 4. The residential pad displays many areas of poor drainage where runoff is likely to pond and eventually seeps toward the sea cliff face. In addition the roof of the residence and garage has a dysfunctional gutter and down drain system which also contributes to poor yard drainage.

Note 5. The bedrock exposed on and adjacent to the property consists of tan and white colored Shale and Siltstone, with stratification planes oriented in steep angles both to the south and to the north. The lower portions of the sea cliff display stratification planes that dip to the south at angles of 25 to 30 degrees, while on the upper portions of the lot the stratification planes dip toward the north at angles of 15 to 25 degrees. These features indicate that an anticlinal structure is present in the bedrock, and indeed such has been mapped by previous researchers of the area. Please refer to Figure 3 for documentation. Because the bedrock dips northerly below the upper portions of the property, long-term ground stability has been afforded and will continue to be experienced in the future.

Shoreline areas can best be described as a 'high energy' natural environment because of the erosive capability of ocean waves acting on the shoreline. Where geologic forces have uplifted the coast and a steep cliff bounded by a narrow sandy beach is present then a number of natural forces combine to cause seacliff retreat. This term, Seacliff Retreat, is a general term used to describe the gradual, episodic, inland regression of the cliff. Predominate earth processes that are involved include landsliding, erosion, and soil creep as mentioned previously. Several regional academic and governmental studies have been made of the seacliff retreat rates on the southern Santa Barbara County coast, including the subject area. These studies have concluded that great variability of rates, ranging from 3.5 inches to 8 inches per year, are present along this coastline and the rate depends on surface runoff conditions, geologic stability, stratification orientation, and the disturbance caused by humans.

The subject property is situated a few hundred feet west of a known and prominent benchmark, " Station Wheeler" which was installed by the U.S. Coast and Geodetic Survey in 1927 (77 years ago). The monument was set originally "11 meters (36 feet) from the edge of the 150 foot high bluff in the fence line separating the properties of Roy Wheeler and E. Prescott and between two large eucalyptus trees, as stated on the U.S. C. & G. Survey sheet. The monument is still there but the top of the bluff is now approximately 4 meters (12 feet) from it. Not often is there such clearcut evidence for seacliff retreat rare as provided by this measurement. During the past 77 years there has been 24 feet of retreat, or an average of 3.75 inches per year. Applying this rate to the subject property, a line 23 feet back of the present top of bluff would define the "75 year setback", as depicted on Figure 1.

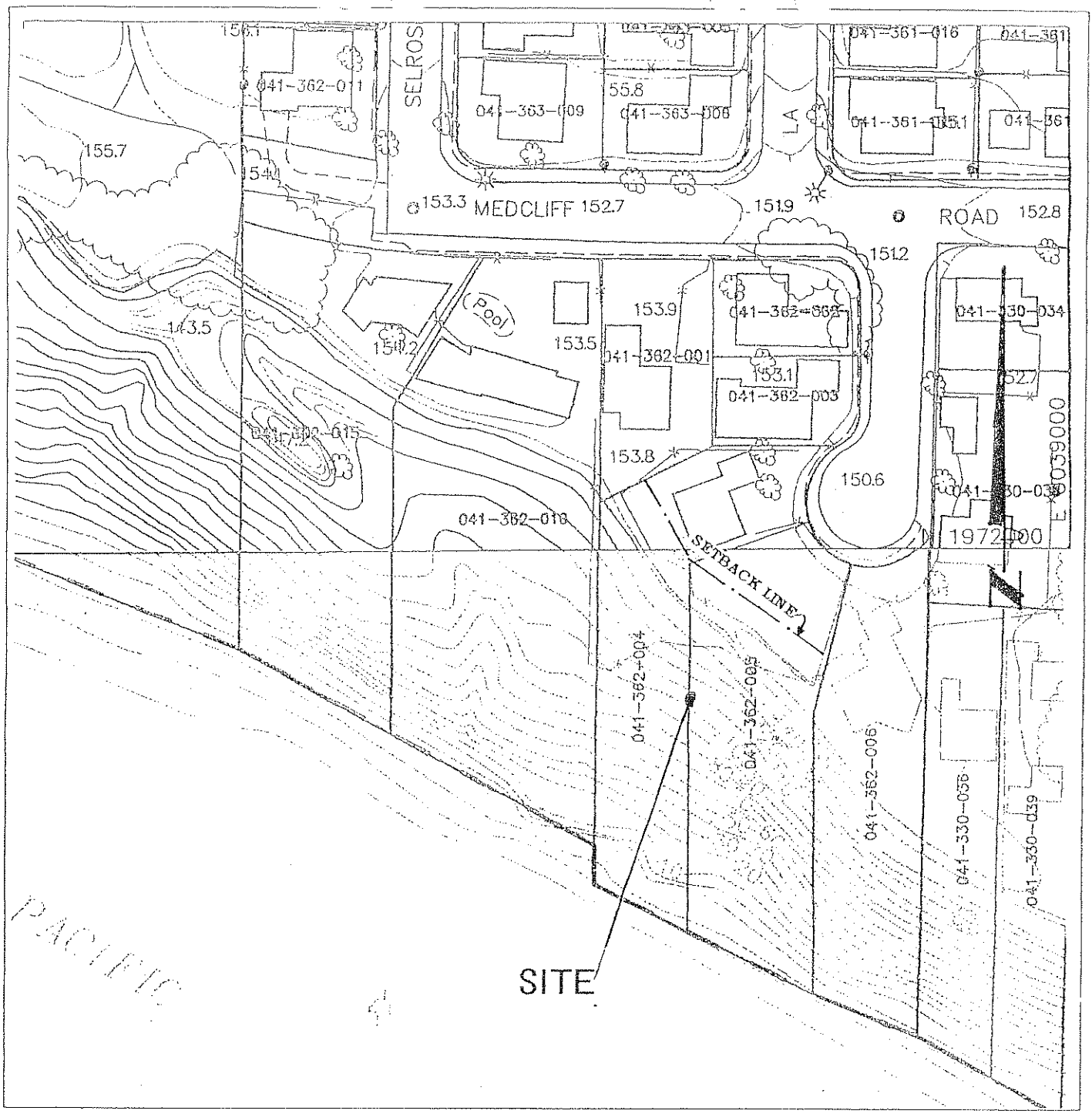
Other Notes and suggestions

A. Measurement of the distance from the southwest corner of the residence to the top of the bluff was 28 feet in 1965. In 2004 this measurement was the same; therefore no apparent movement in 39 years.

B. Installation of roof gutters and downspouts, which empty on to the driveway, is suggested for the entire residence and garage. Fine grading of the low areas near the southwest corner of the residence and all along the north side of the home is strongly suggested in order to reduce the amount of runoff that enters the ground .

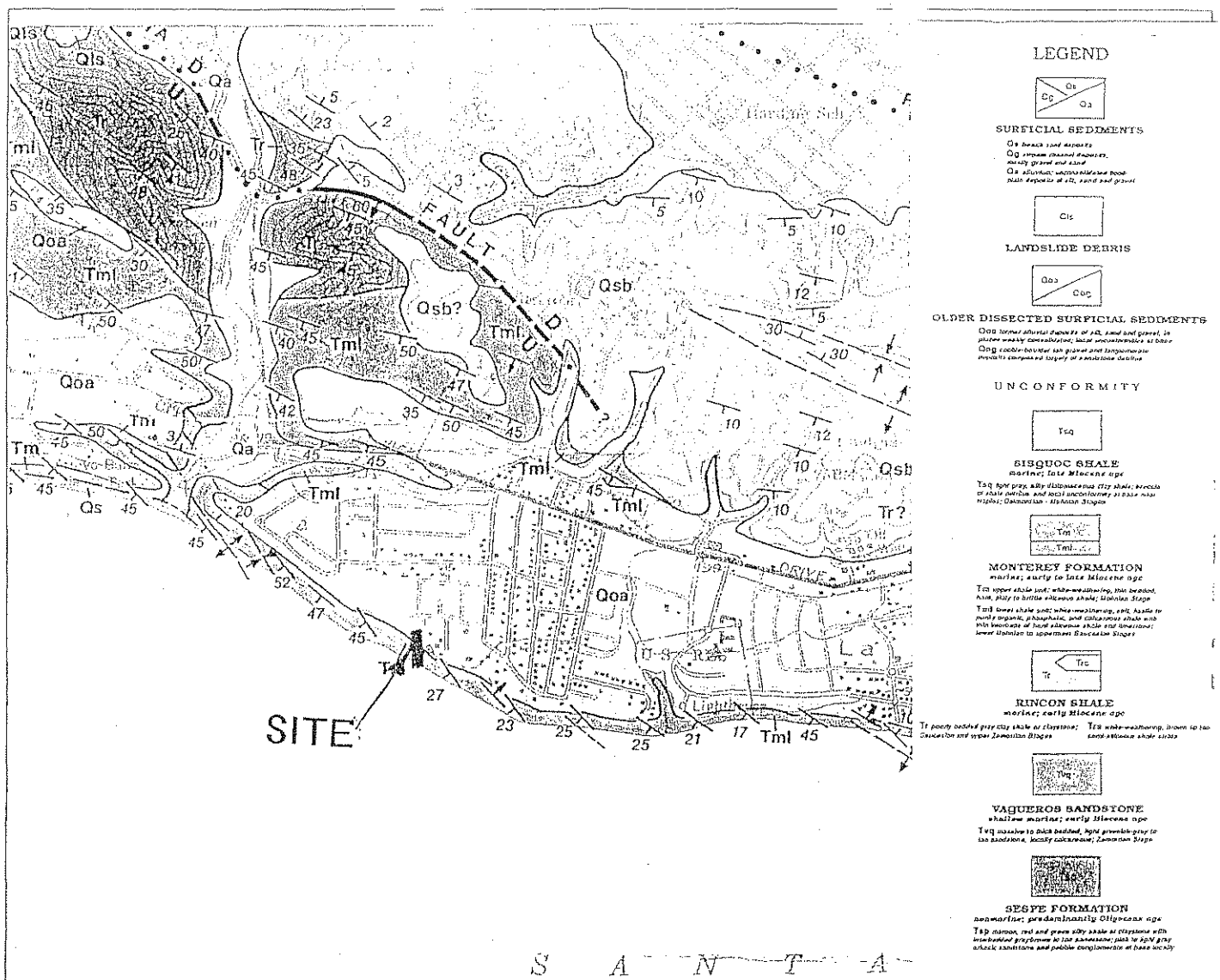
Scale 1"=200'	1965 LOCAL VICINITY MAP	
	JOHN GREENE PROJECT 163 La Jolla Drive Santa Barbara, California	
Project No: 240703	By: Richard Paul Cousineau Engineering Geologist	Fig. 1A

Ref: City of Santa Barbara



Scale 1"=100'	**1991 LOCAL VICINITY MAP**	
	JOHN GREENE PROJECT **163 La Jolla Drive** **Santa Barbara, California**	
Project No: 240703	**By: Richard Paul Cousineau** **Engineering Geologist**	Fig. 1B

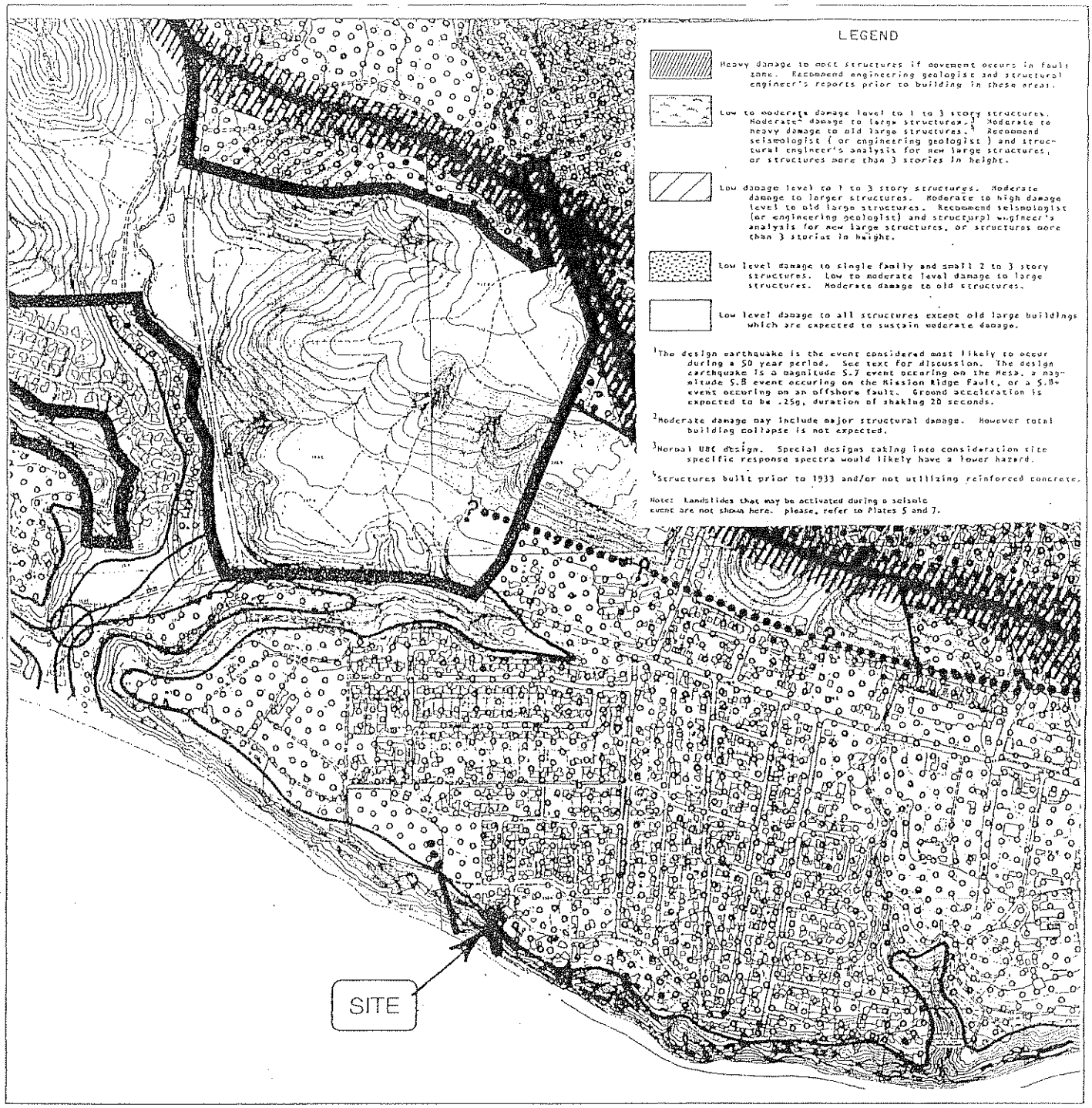
Ref: City of Santa Barbara



Scale 1"=2000'	**GEOLOGIC VICINITY MAP**	
	JOHN GREENE PROJECT **163 La Jolla Drive** **Santa Barbara, California**	
Project No: 240703	**By: Richard Paul Cousineau** **Engineering Geologist**	Fig. 2

Base Map: Dibblee Foundation

Scale 1"=2000'	**GEOLOGIC VICINITY MAP II**	
	JOHN GREENE PROJECT **163 La Jolla Drive** **Santa Barbara, California**	
Project No: 240703	**By: Richard Paul Cousineau** **Engineering Geologist**	**Fig. 3**



Scale 1"=1000'	**SEISMIC HAZARD MAP**	
	JOHN GREENE PROJECT **163 La Jolla Drive** **Santa Barbara, California**	
Project No: 240703	**By: Richard Paul Cousineau** **Engineering Geologist**	Fig. 4

Ref: City of Santa Barbara

PHOTO LOG

PHOTO 1 – View of residence from La Jolla Drive.

PHOTO 2. – View of rear of residence.

PHOTO 3. – Grassed pad area of vacant lot

PHOTO 4 – View west of cliff face from corner of vacant lot.

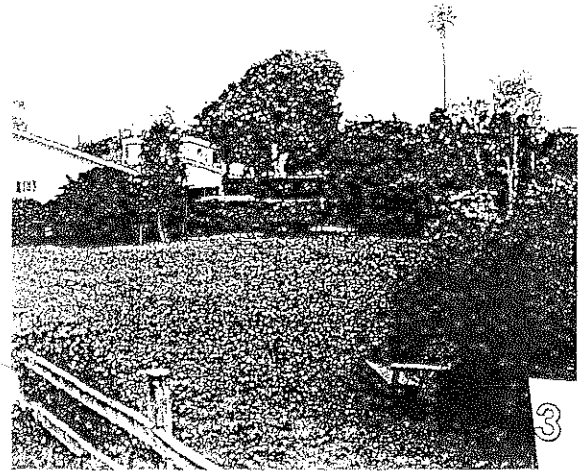
PHOTO 5– View west from residential pad corner

PHOTO 6– View of beach and slope from residential pad corner.

PHOTO 7 –South side of residence displaying poor drainage features

PHOTO 8– Sea Cliff face of subject property.

PHOTO 9– Upper portion of Sea Cliff with storm drain pipe fro La Jolla Drive.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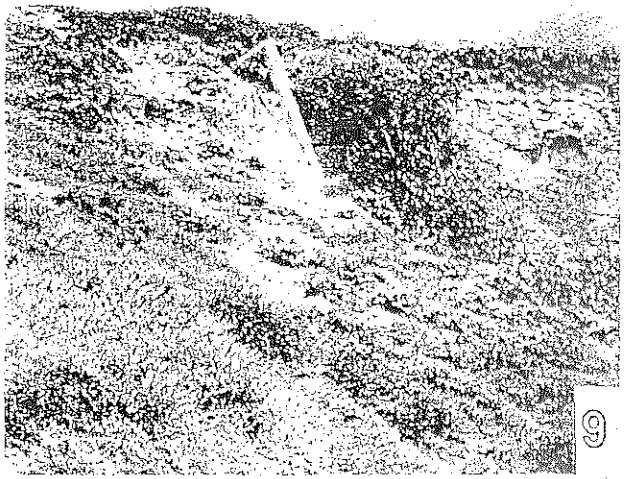
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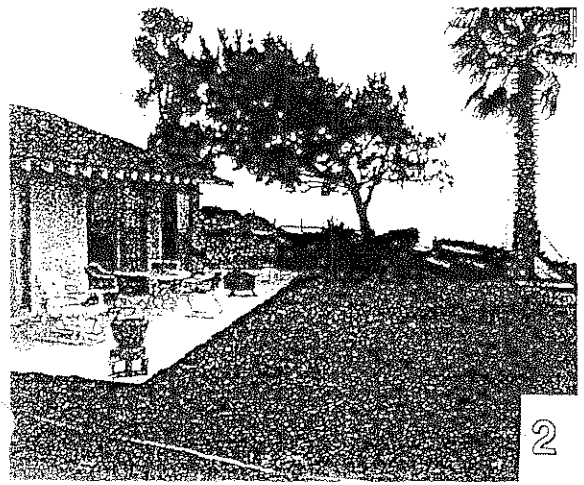
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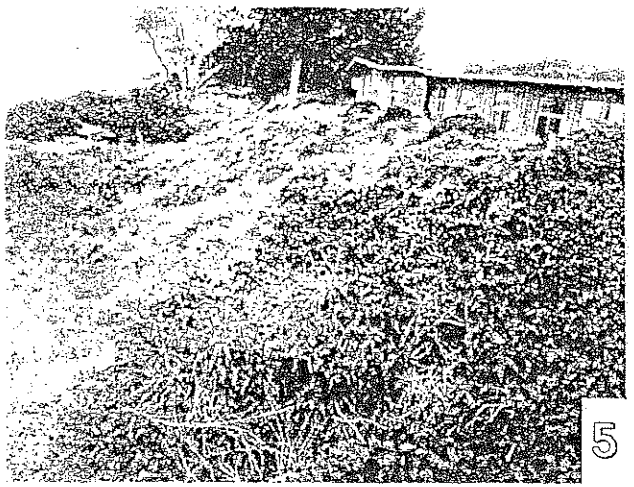
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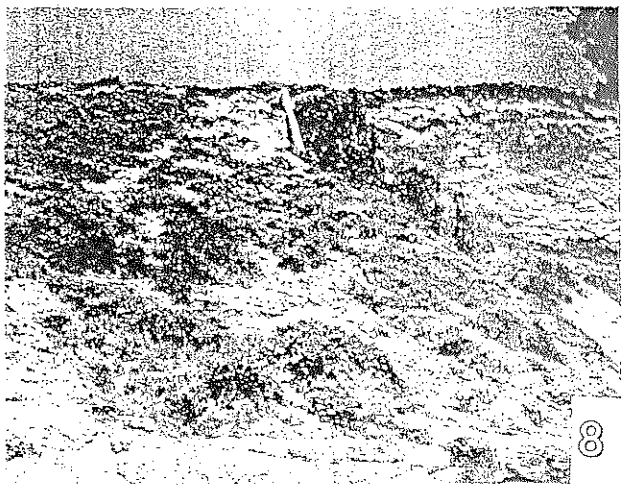
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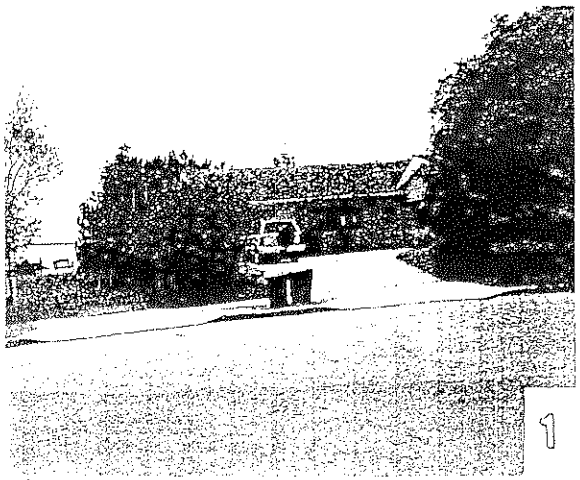
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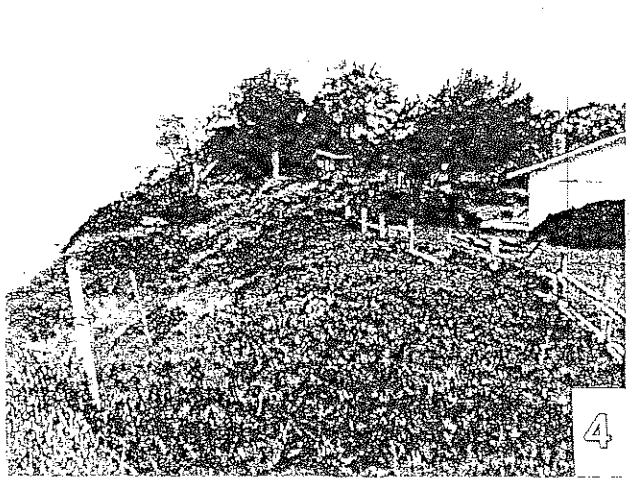
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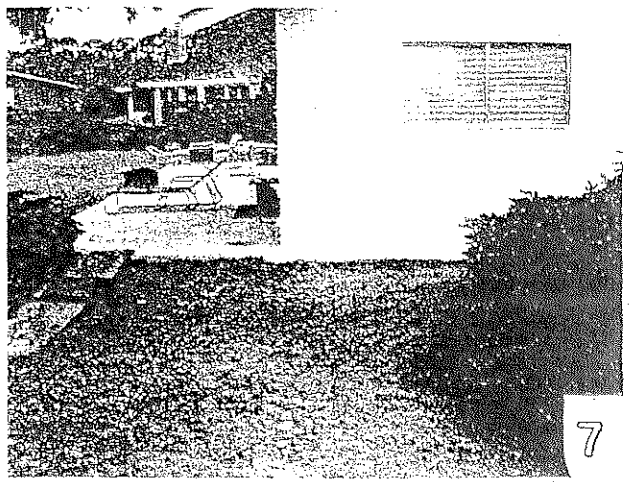
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Frank J. Kenton
250 East Easy Street #6 • Simi Valley, California U.S.A. 93065

December 18, 2007

Ramin Bral
163 La Jolla Drive
Santa Barbara, California 93109

SUBJECT: Geologic Response to the City of Santa Barbara Planning Division Comments, Items III AI and A2, Reference: 163 La Jolla Drive, Santa Barbara, California, MST#2007-00207, APN 041-362-004

INTRODUCTION

In accordance with your authorization, this geologic response to the City of Santa Barbara Planning Department, September 6, 2007 Application Review Team (DART) comments, III A1 and A2 has been prepared.

The subject site, 163 La Jolla Drive, is a coastal bluff parcel. Parcel boundaries encompass a relatively flat pad at the coastal bluff top and descend to the beach. Historic aerial photographs show a lawn area from the house to the bluff edge. The grass was removed in 2004 and reestablished as part of landscape maintenance. At that time gopher netting was installed for rodent control prior to new sod placement.

Prior to 1972, a wooden staircase was constructed on the descending slope for beach access. Currently, this staircase is not in use. Vegetation is established around the staircase and on the descending slope.

RESPONSE TO PLANNING DIVISION COMMENT III A1

A grass lawn existed on the bluff top prior to 2004. In 2004 the grass was removed, gopher netting installed, with new grass sod. Control of burrowing rodents, such as gophers, is important to reduce water infiltration into the bluff top and descending slope. Rodent burrows loosen soil and extend several feet below the ground surface. The burrows are harmful to the bluff because they can concentrate water, promoting rapid and deep infiltration along these underground channels.

Placement of the gopher netting and planting new sod are geologically prudent actions, and help maintain bluff stability. The grass lawn provides soil cover during rainstorms of

long duration and high intensity. Landscaped areas with bare ground have a higher surface water runoff during these rainstorms and erode more easily.

In addition, the grass lawns provide a way to easily manage vegetation height of 2 inches to provide a fire break from higher vegetation, and sometimes more woody vegetation on the descending slope. Vegetation on the bluff slopes is a potential fire hazard, and there are erosive impacts from burned or damaged woody vegetation.

As with any irrigated area, excessive watering can be problematic. To mitigate the adverse effect of irrigation tail water, the lawn irrigation can be regulated by soil moisture content. Irrigation systems are available that operate based upon soil moisture content. Rather than removal of the existing irrigation system piping, which again, disturbs the bluff top, consideration should given to permitting the existing piping with controls that operate based upon soil moisture content.

Disturbance to any area on the bluff top should be minimized. Excessive digging and disturbance of plants with well established root systems should be avoided. The side yard hedge and fence are such an example. Disturbance would have the same adverse impact as gopher activity unless the holes are carefully backfilled. Once an area is disturbed, surface gradients must be reestablished to provide positive drainage.

RESPONSE TO PLANNING DIVISION COMMENT III A2

The existing staircase can be observed in 1972 oblique aerial photographs and has been in existence for at least 35 years. It is unknown what permits, if any, were required at the time of construction.

Aesthetically, it would be desirable to remove the staircase; however, demolishing this staircase on this steep bluff slope poses several important problems and destructive impacts, which advise against such a proposal. Demolition must consider material removal and worker safety. All removed material would have to be transported to the bluff top. Use of heavy equipment is considered not feasible. If used, heavy equipment would require the grading of a bench in the slope face or deadman anchor with other equipment such as a winch cat at the top of slope even for small size track equipment. Grading or operation of track equipment on this slope is geologically undesirable relative to slope stability.

Staircase removal by labor would have to occur. The boards and timbers would have to be manually carried up slope, winched or dragged out. A trail for worker access will be cut or worn into the slope face. This trail will have to be sufficient to provide a safe work space around the staircase and a path while workers are carrying heavy loads. Dragging or winching material to the top of slope will cut ruts in the slope.

The trails will remove existing vegetation, and loosen and destabilize soil from the bluff top along the entire run of the staircase. The ground will be further disturbed around the staircase supports. Depth of staircase footings is unknown. Regardless, holes will be created where each footing is removed. The void created by the removed footing will

require the use of surrounding soil for backfill, thus expanding the area of adverse slope impact.

The staircase has existed on the slope for at least 35 years. Sea cliff erosion, landsliding and soil creep have occurred during this time. The staircase did not create the geologic hazards observed on the slope. Removal of the staircase will not improve slope stability. Removal will adversely impact established vegetation and slope stability. After the slope is disturbed, it may be impossible to fully restore the slope to prior conditions. Removal of the staircase will adversely impact the slope greater than allowing the staircase to remain. Geologically, staircase removal is not recommended.

Thank you for the opportunity to be of service. Please contact me at (805) 520-0831 with any questions.

Respectfully submitted,

Frank J. Kenton, CEG 1254
Certified Engineering Geologist

FJK: lk
Distribution (3) Addressee

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

2. 163 LA JOLLA DR **E-3/SD-3 Zone**

(5:50)

Assessor's Parcel Number: 041-362-004
Application Number: MST2008-00515
Owner: Ramin Bral
Architect: Peter Becker

(Proposal for an 810 square foot first-floor addition, demolition of the existing 411 square foot attached garage, a new 452 square foot attached garage, and complete remodeling for an existing 1,265 square foot one-story single-family residence. The project includes 268 square feet of covered porches at front and rear, relocating the driveway, and abating violations in ENF2007-00125 by permitting the as-built 6 foot wood fence. The project is located within 50' of the edge of the coastal bluff on a 23,522 square foot lot in the Hillside Design District. Planning Commission approvals of a Coastal Development Permit and a Modification to allow alterations within the interior setback are requested. The proposed total of 2,527 square feet is 53% of the maximum guideline floor to lot area ratio.)

(Comments only; project requires environmental assessment and Planning Commission approval of a Modification and a Coastal Development Permit.)

Actual time: 5:56

Present: Peter Becker, Architect; Christine Cunningham, Associate; Ron Bral, Owner.

Public comment was opened at 6:03 p.m.

A letter in opposition from Paula Westbury was acknowledged.
Andy Bricks, in support of the project.

Public comment was closed at 6:04 p.m.

Motion: **Continued to the Planning Commission and return to Full Board with the following comments:**

1) The modification is supportable; posses no negative impacts to the neighborhood; provides high quality architecture; and is an improvement.
2) Show composition shingle roof.
3) Show stone veneer on fireplace.
4) Show double hung windows.
5) Provide color and material board.
6) Provide a preliminary landscape plan showing tree replacement.

Action: Zink/Woolery, 7/0/0. Motion carried.

Applicable General Plan and Local Coastal Plan Policies

Housing Element Goal 2: Conservation and Improvement of Existing Housing Stock

Conserve the City's existing housing stock and improve its condition while accomplishing the following: minimizing displacement; maintaining housing affordable to all economic groups with special emphasis on low income, moderate income and special needs households; and preventing future blight or deterioration.

Housing Element Policy 3.3: *New development in or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood.*

Seismic Safety-Safety Element

Recommendations

1. New development on the top of the cliff shall be placed at such distance away from the edge of the cliff that normal rates of erosion and cliff material loss will not seriously affect the structure during its expected lifetime.

   Using the following simplified formula, a preliminary seacliff setback line has been devised (Hoover, 1978):

$$\text{Setback} = \frac{\text{height of the shale seacliff}}{\text{tangent of dip}} + (\text{thickness of terrace})(2) + (8\text{"/yr})(75\ \text{yrs})$$

   This formula assumes that unsupported bedding planes are unstable, the average rate of seacliff retreat is eight inches per year, terrace deposite (soil material deposited on top of the shale) stabilizes at a 2(H):1(V), and the design life of the project is 75 years. This preliminary setback line is depicted on the seacliff maps.

   This setback is only a preliminary line and must be verified on a site-specific investigation of the property in question by a registered geologist.

2. As discussed earlier in this section, the addition of water to the seacliff can significantly lower inherent cliff stability and cause a stable cliff to become unstable.

   a. Erosion caused by rainwater collecting on the top of the seacliff and then running over the edge can be minimized by installing lateral or "French" drains to collect and control the water. The water can then be piped off the property and properly disposed of in storm sewers. New development shall be required to install some satisfactory means of removing water from the cliff top. Owners of existing structures should be encouraged to install their own drainage devices to protect their homes and property.

b. To prevent excess water from being applied to the top of the cliff for gardening purposes, the planting of lawns, gardens, etc., should be discouraged. Instead, a native vegetation that is drought resistant, and that has deep, strong root systems to aid in stabilizing the cliff material should be planted. A list of drought-resistant native vegetation is included in Appendix 6. Most of these plants will grow rapidly but are small or medium in size, so as not to obstruct views.

3. In an attempt to impede the cliff retreat process, programs to control or prohibit the following activities that can significantly alter the rates of seacliff erosion and retreat shall be implemented.

   a. Improper Access - Improper access may be discouraged by providing existing, established official beach access routes with additional parking, improved access facilities, and publicizing their locations. The use of unmaintained, improvised access routes that have the potential or are creating a serious erosion problem should be discouraged. This could be done by posting informational signs at the top of cliff near the access route, describing the adverse effects that improper access can cause and where the nearest maintained access routes are located.

   b. Loading - Development that will add adverse amounts of excessive weight to the top of the cliff (i.e., large structures, swimming pools, artificial fill, etc.) shall be discouraged.

   c. Improper Vegetation - Where feasible, existing non-native vegetation that requires large amounts of water, such as ice plant and annual grass, shall be replaced with native vegetation.

   d. Trash Disposal - The disposal of any material onto the face of the cliff, including brush clippings from landscape vegetation, shall be prohibited.

4. To protect seacliffs and the structures placed on them from erosion caused by wave action, retaining walls, sea walls, broken concrete or stone revetment, breakwaters, and groins are sometimes used. Before the construction of these or any other shoreline protection structure is allowed, the need and potential for adverse environmental impacts of the project shall be evaluated by appropriate engineers as designated by the Building Official.

LCP Policy 5.3. *New residential development in and/or adjacent to existing residential neighborhoods must be compatible in terms of scale, size, and design with the prevailing character of the established neighborhood. New development which would result in an overburdening of public circulation and/or street parking resources of existing residential neighborhoods shall not be permitted.*

LCP Policy 8.1. *All new development of bluff top land shall be required to have drainage systems carrying run-off away from the bluff to the nearest public street or, in*

areas where the landform makes landward conveyance of drainage impossible, and where additional fill or grading is inappropriate or cannot accomplish landward drainage, private bluff drainage systems are permitted if they are:

(1) sized to accommodate run-off from all similarly drained parcels bordering the subject parcel's property lines;

(2) the owner of the subject property allows for the permanent drainage of those parcels through his/her property;

(3) the drainage system is designed to be minimally visible on the bluff face.

LCP Policy 8.2. *With the exception of the drainage systems identified in Policy 8.1, no development shall be permitted on the bluff face except for engineered staircases or accessways to provide public beach access and pipelines for scientific research or coastal dependent industry. To the maximum extent feasible, these structures shall be designed to minimize alteration to the bluff and beach.*

LCP Policy 9.1. *The existing views to, from, and along the ocean and scenic coastal areas shall be protected, preserved, and enhanced. This may be accomplished by one or more of the following: (1) Acquisition of land for parks and open space; (2) Requiring view easements or corridors in new development; (3) Specific development restrictions such as additional height limits, building orientation, and setback requirements for new development; or (4) Developing a system to evaluate view impairment of new development in the review process.*

LCP Policy 9.3. *All new development in the coastal zone shall provide underground utilities and the undergrounding of existing overhead utilities shall be considered high priority.*